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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PLANNED PARENTHOOD FEDERATION OF
AMERICA, INC., a not-for-profit corporation; and
PLANNED PARENTHOOD: SHASTA-DIABLO,
INC. dba PLANNED PARENTHOOD NORTHERN
CALIFORNIA; PLANNED PARENTHOOD MAR
MONTE, INC.; PLANNED PARENTHOOD OF
THE PACIFIC SOUTHWEST; PLANNED
PARENTHOOD LOS ANGELES; PLANNED
PARENTHOOD/ORANGE AND SAN
BERNARDINO COUNTIES, INC.; PLANNED
PARENTHOOD OF SANTA BARBARA,
VENTURA AND SAN LUIS OBISPO COUNTIES,
INC; PLANNED PARENTHOOD PASADENA
AND SAN GABRIEL VALLEY, INC.;

Plaintiffs,

v.

CENTER FOR MEDICAL PROGRESS, BIOMAX
PROCUREMENT SERVICES, LLC, DAVID
DALEIDEN (aka "ROBERT SARKIS"), TROY
NEWMAN, ALBIN RHOMBERG, PHIL CRONIN,
SANDRA SUSAN MERRITT (aka "SUSAN
TENNENBAUM"), GERARDO ADRIAN LOPEZ,
and UNKNOWN CO-CONSPIRATORS, inclusive,

Defendants.

Case No. 3:16-cv-00236-WHO

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR
OPPOSITION AND REPLY BRIEFS
FOR DEFENDANT SUSAN
MERRITT'S ANTI-SLAPP
MOTION**

1 WHEREAS Defendants Biomax Procurement Services, LLC, Center for Medical Progress,
2 David Daleiden, Phillip Cronin, Gerardo Lopez, Troy Newman, and Albin Rhomberg (collectively
3 “CMP Defendants”) moved to extend their deadline to file their anti-SLAPP motion from April
4 25, 2016 to May 5, 2016 (“Motion for Extension”) (ECF No. 76), which Plaintiffs did not oppose;

5 WHEREAS the Motion for Extension requested that Plaintiffs’ deadline to oppose the anti-
6 SLAPP motions be extended to June 13, 2016 and that CMP Defendants’ deadline to reply be
7 extended to June 28, 2016 (*Id.*);

8 WHEREAS the Court granted the Motion for Extension as to CMP Defendants’ deadline
9 for their anti-SLAPP motion and as to Plaintiffs’ opposition deadline and ordered CMP
10 Defendants to file their reply by June 22, 2016 (ECF No. 82);

11 WHEREAS Defendant Susan Merritt (“Merritt”) did not join in CMP Defendants’ Motion
12 for Extension and instead filed a Motion To Strike Plaintiffs’ State Law Claims Under California’s
13 Anti-SLAPP Law (CCP 425.16) (“Merritt Anti-SLAPP Motion”) on April 25, 2016 (ECF No. 78)
14 along with a Motion to Dismiss Plaintiffs’ First Amended Complaint For Failure To State A Cause
15 of Action (ECF No. 81);

16 WHEREAS Merritt noticed the Merritt Anti-SLAPP Motion with a deadline of May 25,
17 2016 for Plaintiffs’ opposition and a deadline of June 9, 2016 for Merritt’s reply (ECF No. 78);

18 WHEREAS Plaintiffs and Merritt have met and conferred and have agreed to extend the
19 deadline for Plaintiffs’ opposition to the Merritt Anti-SLAPP Motion from May 25, 2016 to June
20 7, 2016 and the deadline for Merritt’s reply from June 9, 2016 until June 22, 2016;

21 WHEREAS the extension of Plaintiffs’ deadline to oppose the Merritt Anti-SLAPP Motion
22 and of Merritt’s deadline to reply does not affect any other deadlines in this case;

23 WHEREAS good cause exists for this extension so that Plaintiffs and Merritt have
24 adequate time to address the arguments presented in the Merritt Anti-SLAPP Motion,

25 WHEREAS this request is the fourth request to extend time in this case;

26 WHEREAS the parties previously jointly requested that the Court continue the initial case
27 management conference from February 16, 2016 to March 29, 2016, which the Court granted (*see*
28

1 ECF Nos. 20, 23);

2 WHEREAS the parties previously jointly requested that the Court extend the deadline for
3 all Defendants to respond to Plaintiffs' Amended Complaint, which the Court granted (*see* ECF
4 Nos. 58, 60);

5 WHEREAS as described above CMP Defendants requested an extension for their deadline
6 to file their anti-SLAPP motions;

7 NOW, THEREFORE, IT IS HEREBY STIPULATED between Plaintiffs and Merritt,
8 through their respective counsel, the following:

9 1) The deadline for Plaintiffs' opposition to the Merritt Anti-SLAPP Motion will be
10 extended from May 25, 2016 to June 7, 2016;

11 2) The deadline for Merritt's reply will be extended from June 9, 2016 to June 22,
12 2016;

13 3) No other briefing deadlines or hearing dates are affected by this agreement.

14
15 Dated: May 9, 2016

Respectfully submitted,

ARNOLD & PORTER LLP

17 By: /s/ Amy L. Bomse
18 Amy L. Bomse
19 Attorneys for Plaintiffs

20 Dated: May 9, 2016

LIBERTY COUNSEL

21 By: /s/ Horatio Mihet
22 Jonathan David Christman
23 Horatio Gabriel Mihet
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ATTESTATION

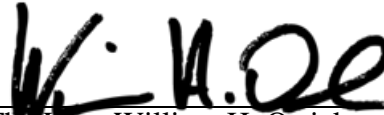
Pursuant to Local Rule 5-1, I, Amy L. Bomse, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's consent and have authorized the filing.

/s/ Amy L. Bomse
AMY L. BOMSE

ORDER

IT IS HEREBY ORDERED that Plaintiffs' deadline to oppose the Merritt Anti-SLAPP Motion is extended until June 7, 2016 and Merritt's deadline to reply is extended until June 22, 2016. No other briefing deadlines or hearing dates are altered by this Order.

DATED: May 9, 2016

A handwritten signature in black ink, appearing to read "W. H. Orrick", is written over a horizontal line.

The Hon. William H. Orrick
Judge of the United States District Court